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**JAN 12 2005**

In re Application of  
Byrd and Poulos  
Application No.: 10/820,558  
Filed: April 8, 2004  
Attorney Docket No: 41872-298797  
For: FOOTWEAR WITH DISPLAY ELEMENT

: **OFFICE OF PETITIONS**  
:  
: **DECISION ACCORDING**  
: **RULE 47(a) STATUS**  
:

This is in response to the renewed petition under 37 CFR 1.47(a), filed November 12, 2004.

The petition is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

The above-cited application was filed on April 8, 2004, and was not accompanied by a proper declaration. A Notice to File Missing Parts of Nonprovisional Application was mailed on June 22, 2004, requiring a properly executed declaration and surcharge. The notice allowed an extendable period for reply of two months from its mailing date. On November 12, 2004, a petition under 37 CFR 1.47 was filed along with several exhibits.

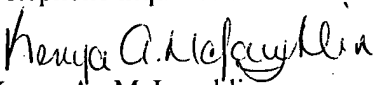
Petitioner has shown that despite diligent effort by the 37 CFR 1.47(a) applicant, inventor Poulos is unable to be located join the filing of the above-identified application. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The assignment and certificate under 37 CFR 3.73 filed November 12, 2004, are noted and made of record.

This application will be directed to the Assignment Division for recordation of the assignment and then to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (571) 272-3222.

  
Kenya A. McLaughlin  
Petitions Attorney  
Office of Petitions